

AMENDED IN ASSEMBLY MARCH 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 841

Introduced by Assembly Member Vargas

February 20, 2003

An act to amend Sections 52890, 54726, and 54734 of the Education Code, relating to pupil retention.

LEGISLATIVE COUNSEL'S DIGEST

AB 841, as amended, Vargas. Pupil motivation and maintenance.

Existing law, the School-Based Pupil Motivation and Maintenance Program and Dropout Recovery Act, authorizes school districts to establish and maintain school-based pupil motivation and maintenance improvement programs to improve the ability of schools to keep pupils in school and to reduce pupil absenteeism, truancy, tardiness, and school dropout rates. The existing act requires, for school-based motivation and maintenance programs, the schoolsite council to develop a school plan for increasing the retention rate of the school for all pupils with special emphasis on the needs of high-risk pupils. Existing law requires that plan to include a description of the manner in which the school district will utilize outreach consultations and prescribes the qualifications of outreach consultants. Under the existing act, a school may not operate a school motivation and maintenance program unless an application to operate a school motivation and maintenance program has been submitted to, and approved by, the Superintendent of Public Instruction, and unless a newly developed plan or a revision of the previously approved plan has been approved by the local governing board and is retained at the schoolsite. Under

existing law, the Superintendent of Public Instruction is required to perform various duties related to school-based pupil motivation and improvement programs.

This bill would require each outreach consultant utilized for purposes of a school-based motivation and maintenance program to possess a Dropout Prevention Specialist Certificate from a California State University, as prescribed, and would make clarifying changes in related provisions. The bill would require a school-based motivation and maintenance program plan to include provisions for participation in specified activities organized and provided by the network of schools implementing pupil motivation and maintenance programs. The bill would authorize the Superintendent of Public Instruction to utilize the services of field personnel with expertise and knowledge of successful pupil motivation and maintenance programs to assist the State Department of Education in carrying out its duties related to school-based pupil motivation and maintenance programs.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) The School-Based Pupil Motivation and Maintenance
- 4 Program and Dropout Recovery Act enacted by the Legislature in
- 5 January 1986, has proven to be effective in reducing dropout rates,
- 6 increasing attendance, improving pupil achievement, and creating
- 7 a positive school culture that supports intellectual, physical,
- 8 emotional, and social development, as well as the well-being of
- 9 high-risk pupils in low-performing schools.
- 10 (2) In the 1999–2000 school year, 450 schools participated in
- 11 the Pupil Motivation and Maintenance Program, serving an
- 12 estimated 413,000 pupils. Those schools perform significantly
- 13 better than comparable schools that are not in the program by
- 14 keeping pupils in school by reducing absenteeism, truancy,
- 15 tardiness, and pupil suspensions for improper behavior. A recent
- 16 evaluation of the program shows that it is particularly effective
- 17 with Latino pupils, who comprise 69 percent of all pupils attending
- 18 schools that participate in the program.



1 (3) The California Dropout Prevention Network, organized by
2 the participating schools, has been an effective strategy for
3 providing technical assistance and staff development services, and
4 for assisting new schools in planning their schoolsite plans for
5 dropout prevention and schoolsite coordination of categorical
6 resources.

7 (4) In spite of the fact that participating schools are
8 characterized by poverty and ethnic diversity, which can be indicia
9 of low-performance, 65 percent of participating schools meet or
10 exceed their performance targets, as compared to 52 percent of all
11 other schools.

12 (b) It is the intent of the legislature to improve the program by
13 implementing recommendations for program improvement and
14 providing for qualified school personnel to assist the Department
15 of Education in providing technical support, training, and program
16 development assistance to participating schools.

17 SEC. 2. Section 52890 of the Education Code is amended to
18 read:

19 52890. Each school district and school that submits a
20 school-based motivation and maintenance program plan pursuant
21 to Article 6 (commencing with Section 54720) of Chapter 9 of Part
22 29 shall include in the plan a description of the manner in which
23 it will utilize outreach consultants. For purposes of this article,
24 each outreach consultant, at a minimum, shall do all of the
25 following:

26 (a) Possess a Dropout Prevention Specialist Certificate from a
27 California State University, or enroll in a Dropout Prevention
28 Specialist Certificate program within 90 days of the date of hire,
29 except that outreach consultants employed on or before the
30 effective date of the act adding this requirement are exempt from
31 this requirement.

32 (b) Demonstrate knowledge of local alternative educational
33 programs and employ those programs to respond to the differential
34 needs and unique learning styles of pupils.

35 (c) Demonstrate knowledge of local community agencies and
36 community programs to recruit those agencies and programs to
37 assist in the physical or psychological remediation of pupils.

38 (d) Utilize local school programs, options, and opportunities to
39 assist pupils in locating, securing, or retaining employment.

1 (e) Utilize techniques that enhance interpersonal
2 communication, self-understanding, self-disclosure, and
3 depth-level sharing.

4 (f) Employ appropriate methods to create circumstances
5 necessary so that change is permitted and encouraged in
6 individuals, programs, and institutions.

7 (g) Be responsible for supervising, instructing, conducting
8 negotiations with, and advising pupils and adults.

9 SEC. 3. Section 54726 of the Education Code is amended to
10 read:

11 54726. For school-based motivation and maintenance
12 programs, the schoolsite council shall develop a school plan for
13 increasing the retention rate of the school for all pupils, with
14 special emphasis on the needs of high-risk pupils. For schools
15 establishing school-based motivation and maintenance programs,
16 the plan shall include, but need not be limited to, all of the
17 following:

18 (a) A staff development program for teachers, other school
19 personnel, paraprofessionals, and volunteers, including those
20 participating in special programs.

21 (b) Provisions for participation in peer group technical support,
22 new school training, program development and staff development
23 activities organized and provided by the network organization of
24 schools implementing pupil motivation and maintenance
25 programs.

26 (c) Provisions for the utilization of the pupil success team
27 process to identify and assess the needs of pupils who are dropouts
28 or potential dropouts, and to develop programs to meet the needs
29 of those pupils. Each pupil success team shall include all of the
30 following:

31 (1) Pupils identified as dropouts or potential dropouts
32 wherever appropriate.

33 (2) The pupil's parents or guardians.

34 (3) One of the pupil's teachers or, in the case of a school
35 dropout, a teacher who would have provided instruction to the
36 pupil if he or she were still attending school.

37 (4) The school principal or the principal's designee.

38 (5) Other appropriate resource teachers or specialists.

1 (6) Whenever appropriate, representatives of public or private
2 community organizations, park and recreation agencies, law
3 enforcement agencies, or business and industry.

4 (d) A duty statement describing the specific duties of the
5 outreach consultant and limiting those duties to activities that
6 benefit high-risk pupils, as defined in subdivision (c) of Section
7 54721.

8 (e) Procedures for coordinating services from funding sources
9 at the school level to assist pupils to participate successfully in the
10 core academic curricula and specialized curricula related to jobs
11 and career opportunities.

12 (f) Instructional and auxiliary services to meet the special
13 needs of pupils identified as being at high risk of not succeeding
14 in the regular school program or dropping out of school,
15 non-English-speaking or limited-English-speaking pupils,
16 *including instruction in a language these pupils understand*
17 educationally disadvantaged pupils; gifted and talented pupils;
18 and pupils with exceptional needs.

19 (g) At the elementary school level, provisions for early
20 identification and intervention to address learning problems
21 including, but not limited to, the assessment of primary grade
22 pupils to identify and commence remediation of developmental
23 and other learning difficulties.

24 (h) An emphasis on literacy and basic skills development.

25 (i) An emphasis on curriculum content and teaching strategies
26 that are relevant to job or career opportunities.

27 (j) A plan that integrates and coordinates the skills and talents
28 of outreach consultants.

29 (k) Other activities and objectives established by the council.

30 (l) The proposed expenditure of funds available to the school
31 through the programs described in Section 54723 and other
32 available funds.

33 (m) The schoolsite council shall consult with local officials,
34 including officials from law enforcement and public health, and
35 with representatives from nonprofit organizations that work with
36 at-risk youth before making this proposal.

37 (n) The schoolsite council shall annually review the school
38 plan, establish a new budget, and, if necessary, make other
39 modifications in the plan to reflect changing needs and priorities.

1 SEC. 4. Section 54734 of the Education Code is amended to
2 read:

3 54734. The Superintendent of Public Instruction shall do all
4 of the following:

5 (a) Assist school districts and schools, upon request, in
6 designing, implementing, or evaluating school plans authorized
7 by this article.

8 (b) Apportion funds in accordance with Article 3 (commencing
9 with Section 52850) of Chapter 12 of Part 28 and this article.

10 (c) Conduct program quality and fiscal reviews to do all the
11 following:

12 (1) Ensure that funds allocated pursuant to this article are
13 expended for the purposes intended.

14 (2) Provide information helpful to schools in improving their
15 programs.

16 (3) Provide information and technical assistance helpful to
17 schools in improving the school-based pupil motivation and
18 maintenance programs.

19 (d) Establish an information dissemination repository,
20 including, but not limited to, model programs, instructional
21 strategies, and effective practices for working with high-risk
22 pupils and increasing the pupil retention of schools and school
23 dropout recovery programs. This repository shall be made
24 available to school districts.

25 (e) Provide schools eligible to apply for grants under the High
26 Priority Schools Grant Program for Low Performing Schools
27 pursuant to Section 52055.600 with all of the following
28 information.

29 (1) Program elements for dropout prevention and student
30 support strategies in the Pupil Motivation and Maintenance
31 Program.

32 (2) Model programs and instructional strategies for high-risk
33 pupils.

34 (3) Effective practices for increasing pupil retention and
35 dropout recovery programs.

36 (4) Eligibility requirements and application procedures.

37 (f) Request that school plans submitted pursuant to Article 3
38 (commencing with Section 52850) of Chapter 12 of Part 28 by
39 school district governing boards be in compliance with this article
40 and any implementing administrative regulations.



1 (g) The Superintendent of Public Instruction may utilize the
2 services of field personnel with expertise and knowledge of
3 successful pupil motivation and maintenance programs to assist
4 the department in carrying out the activities described in this
5 section.

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